

# JOURNAL OF THE FLORIDA SENATE

Tuesday, March 21, 1972

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

## INTRODUCTION

By Senators Daniel and Karl—

SB 1270—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, and annexations of territory to the City of Eustis, Florida, under section 171.04, Florida Statutes, heretofore made by and as entered upon the rolls and records of the City of Eustis, Florida, for the year 1971, together with all acts and proceedings had, done or performed by the duly constituted governing authorities, officials of said city in connection therewith, making same valid, legal and binding liens upon lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates. Providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1270.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1271—A bill to be entitled An act ratifying, confirming, validating and legalizing all assessments, assessment rolls, valuations of properties, and annexations of territory to the City of Umatilla, Florida, under Section 171.04, Florida Statutes, heretofore made by and as entered upon the rolls and records of the City of Umatilla, Florida, for the year 1971, together with all acts and proceedings had, done or performed by the duly constituted governing authorities, officials of said city in connection therewith, making same valid, legal and binding liens upon lands and properties upon which same are made, assessed and levied, and authorizing the collection of said taxes, assessments and delinquent tax certificates. Providing for the effective date of such law and for the repeal of all laws in conflict therewith.

Evidence of notice and publication was established by the Senate as to SB 1271.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1272—A bill to be entitled An act relating to the City of Port Orange, Volusia County, Florida, repealing Section 2 of Chapter 67-1514, Laws of Florida, being the charter of said city, by amending its territorial boundaries and providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1272.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

SB 1273—introduced March 17 and passed.

SB 1274—introduced March 17 and referred to the Committee on Judiciary—Civil B.

By Senators Ware and Wilson—

SB 1275—A bill to be entitled An act relating to the City of Pinellas Park, Florida, amending Section 4 of Article I of the Charter of the City of Pinellas Park as shown in Chapter 65-2122 Laws of Florida, 1965, Chapter 67-1934 Laws of Florida,

1967, and Chapter 69-1494 Laws of Florida, 1969 by abolishing the present boundaries of the municipality and re-establishing new municipal boundaries.

Evidence of notice and publication was established by the Senate as to SB 1275.

—was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Senate recessed at 8:33 a.m.

The Senate was called to order by the President at 10:00 a.m. A quorum present—47:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Excused: Senator Boyd for the afternoon session to fulfill his duties as chairman of the Committee on Reapportionment and Redistricting, Senator Bell at 2:40 p.m.

Prayer by Reverend W. Sumner Ferguson, St. Mary's Episcopal Church, Daytona Beach:

Almighty God, who has given us this good land for our heritage; we humbly beseech thee that we may always prove ourselves a people mindful of thy favour and glad to do thy will. Bless our state with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion us into one united people. Endue with a spirit of wisdom those whom in thy name we intrust the authority of government, that there may be peace and justice at home, and that through obedience to thy law, we may show forth thy praise among the nations of the earth. In time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in thee to fail, all which we ask through Jesus Christ, our Lord. Amen.

The Journal of March 20 was corrected and approved.

## REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Tuesday, March 21, 1972:

SJR 1243 and HB 3278 at 2:00 p.m. for a period not to exceed one hour

SJR 1246	CS for HB 543	HB 3132
HB 3775	CS for SB 66	SB 601
HB 3772	SB 67	SB 614
SB 1131	CS for SB 68	SB 1163
SB 908	SB 333	CS for HB 3134
SB 1197	SB 693	SB 628
SB 1198	SB 699	SB 885
SB 1200	SB 1039	SB 749
SB 1201	SB 787	SB 750
SB 1204	SB 301	SB 752
SB 786	HB 3129	SB 1191
HB 3202	CS for HB 3136	SB 481
SB 286	HB 3131	SB 1266
SB 775	SB 744	
HB 1823	SB 364	

The Committee on Public Schools recommends the following pass:

HB 946 with 3 amendments HB 2983

The bills were placed on the calendar.

The Committee on Public Schools recommends the following pass:

CS for HB 3029  
HB 3354 with 1 amendment  
CS for HB 3657 with 1 amendment  
HB 3699

The Committee on Universities and Community Colleges recommends the following pass: SB 1026, HB 3655

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

# ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred—

SB 330 with 2 amendments CS for SB 650 with 1 amendment  
SB 579 with 3 amendments SB 653 with 1 amendment  
SB 635 with 4 amendments SB 916 with 2 amendments

—reports that the House amendments have been incorporated and the bills are returned herewith.

**ELMER O. FRIDAY**  
*Secretary of the Senate*

The bills were ordered enrolled.

Your Engrossing Clerk to whom was referred—SB 311 with 1 Senate amendment and 3 House amendments reports that the Senate and House amendments have been incorporated and the bill is returned herewith.

**ELMER O. FRIDAY**  
*Secretary of the Senate*

The bill was ordered enrolled.

Your Engrossing Clerk to whom was referred—

CS for SB 3 with 2 amendments  
SB 293 with 1 amendment  
CS for SB 551 with 11 amendments  
SB 574 with 2 amendments  
SB 1091 with 2 amendments  
SB 1108 with 2 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

**ELMER O. FRIDAY**  
*Secretary of the Senate*

The bills were certified to the House.

# ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 24 CS for SB 169 SB 595 SB 1144

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on March 21, 1972.

**ELMER O. FRIDAY**  
*Secretary of the Senate*

# MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—

By Representative Dubbin—

HCR 2-Orig.—A concurrent resolution providing that the House of Representatives and the Senate convene in joint meeting.

WHEREAS, the legislative implementation of Article V of the Constitution, as recently ratified by the electorate, requires the advice of the Chief Justice of the Florida Supreme Court;

NOW, THEREFORE,

*Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:*

That the House of Representatives and the Senate convene in joint meeting at 10:10 A.M. this day, the twenty-first of March, 1972, for the purpose of hearing the recommendations of the Chief Justice, The Honorable B. K. Roberts.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HCR 2-Orig., contained in the above message, was read the first time in full. On motion by Senator Hollahan, by two-thirds vote, HCR 2-Orig. was read the second time by title, unanimously adopted and certified to the House.

Pursuant to HCR 2-Orig., the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order at 10:15 a.m. by the Honorable Richard A. Pettigrew, Speaker of the House of Representatives.

The Speaker invited the President of the Senate, Jerry Thomas, and President Pro Tempore of the Senate, Wilbur H. Boyd, to the rostrum and requested the President to preside over the joint session.

The President in the Chair.

The President declared a quorum of the joint session present.

The Governor was received and seated on the rostrum.

The Justices of the Florida Supreme Court and members of the Florida Cabinet were received and seated.

On motion by Representative D'Alemberte that a committee be appointed to escort to the rostrum Chief Justice of the Supreme Court of Florida, The Honorable B. K. Roberts, the President appointed Senators Barron, Karl and Wilson and the Speaker appointed Representatives D'Alemberte, Reed, and Santora. The committee escorted Chief Justice Roberts to the rostrum.

The President presented Justice Roberts who delivered the following message to the Legislature:

Mr. President, Mr. Speaker, members of the House and Senate, distinguished guests, and other ladies and gentlemen.

On behalf of the Judicial Branch of the Government of Florida, I extend our sincere appreciation for this opportunity provided through your resolution to speak to you on the manpower needs of the Courts of this State. We who are engaged in the day to day activities of the Judicial System appreciate the great dedication and courage displayed by the members of the Legislature, under the leadership of our distinguished Governor Reubin Askew, in the development of the resolution which now appears, by overwhelming approval of the people, as the revised Article V of our State Constitution.

The new judicial article becomes effective January 1, 1973 and requires the Supreme Court of Florida to certify on March 21, 1972—today—the need for additional circuit and county judges required for the handling of the State's judicial business beginning with the year 1973, and from time to time thereafter, as the exigencies of the situation may require or permit.

The responsibility for this first Certificate is one which could consume months in preparation, but in our zeal to comply with the mandate, we have done our best to give you a reliable Certificate within the allotted time. Soon after the resolution proposing a revision of Article V was adopted by the Legislature, I established a task force within the Court, under the direction of our Executive Assistant and the Executive Director of the Judicial Council. I take this opportunity to express our sincere appreciation to them, to the Chief Judges of our Twenty Judicial Circuits, The Florida Bar, and the Judicial Council for their individual and collective assistance.

First, we established a statistical portfolio on each of the Twenty Judicial Circuits and each of the sixty-seven counties, for a total of eighty-seven separate files. In the examination of each county, we have sought to consider the composite spectrum of geographical area, population, growth, and court statistics. Also, we have given consideration to the effect of tourism, migrant labor, elderly citizens, large new attractions, new retirement villages, new space age technical labor pools, and the projections of increased population of the State occurring since the taking of the census in 1970. All of these are factors contributing to the judicial needs of the separate parts of Florida.

Similar information has been compiled for each of the Twenty Judicial Circuits. Furthermore, in multi-county circuits, we considered the distances between county seats, taking note that there would be a substantial loss of judicial time resulting from required travel.

In evaluating the caseloads, we have sought to classify the types of cases and the manner in which the new jurisdictions of the circuit courts and county courts would be affected. We also have taken note of the new uniform traffic code, and alcoholic rehabilitation law, recently enacted by the Legislature. Each has a direct effect on the volume of court business at the county level.

By reference to the revision amendment, you will readily observe that most cases formerly handled by Courts of Record, Juvenile Courts and Courts of Probate and Guardianship will be added to the already loaded circuit court dockets. Likewise, you will discover that all cases heretofore handled by Justices of the Peace and Small Claims and Magistrates Courts, and in

Dade and Duval the caseloads of the Metropolitan Courts and other statutory special courts heretofore existing, now pass to the county courts.

We have relied heavily, but by no means exclusively, on the last two Annual Reports of the Judicial Council of Florida. In December, 1971, I requisitioned each of the Twenty Circuit Court Chief Judges to assist in gathering the information, and they have given splendid cooperation.

From such extensive research, a great deal of this report is made. We do not tell you that our statistics are impeccably accurate for they are subject to the limitations of time in their compilation. They are, however, the best obtainable within the short period of time provided. Early this month, we provided to the Chief Judges of each of the Twenty Circuits a preliminary analysis of our statistical information, and invited their comments. These have been received, studied and the applicable suggestions have become incorporated in our document.

From the foregoing, and to the best of our knowledge, information and belief, we have found that the judicial system of this State operating in the fiscal year 1970-71 with its then 346 judges, received 763,353 newly added cases, and disposed of 744,895 in the same period. This voluminous record does not include cases docketed by Justices of the Peace, thirteen Metropolitan Judges of Dade and two in Duval Counties, whose cases will be added to the county courts. We note, however, that probate, competency and guardianship cases will move out of the lower courts to the circuit court level for an added burden at that tier.

By consolidating the caseloads of 346 judges above mentioned, along with the work of the 120 Justices of the Peace and 15 Metropolitan Judges, and by adjusting the report to the *calendar* year of 1971, we find that combination of 488 judges considered 1,357,376 cases. Of that total, 149,516 appear to have been in the courts of the Justices of the Peace; 401,296 cases in the county-wide Metropolitan Courts, and a general increase of 62,000 in the caseload of the circuits. It is noteworthy that a large majority of cases in the Metropolitan Courts of Dade and Duval Counties and in the Justice of the Peace Court result in the non-appearance of defendants and forfeiture of bonds, pleas of guilty, or dismissal of cases.

Armed with these statistics, we now adjust and redistribute that caseload between the courts as they will appear in 1973. Based on these figures, there would be 333,194 cases in the circuit courts in 1973, and 1,024,182 would be in the various divisions of the county courts.

We have been unable to obtain complete reports on the municipal courts, although many of them did respond to our inquiries. By projection of the replies received, we estimate that the Municipal Courts of Florida, during the year 1971, handled approximately 1,250,000 cases.

Two weeks ago we requested the Chief Judges of the Twenty Judicial Circuits to obtain for us at the earliest possible moment the attitude of all of the cities within each Judicial Circuit as to the abolition of the office of Municipal Judge prior to the mandated abolition January 3, 1977. The responses indicate that only a negligible few intend in the foreseeable future to abolish the Office of City Judge, except for one metropolitan area of a half million population which advises that serious consideration is being given to abolishment of the position of City Judge during the year 1973. In this posture, we are unable to accurately certify at this time the specific needs of county judges to try cases for the violation of city ordinances. This

is a subject which must be reviewed from time to time by the Legislature as cities conform to the concept of consolidation provided by the revision.

It is pertinent to point out at this time that when the Office of City Judge is abolished, the city will have a choice between sending its cases directly to the County Court or, in the alternative, by merely providing a courtroom and approval of the Chief Judge, a court for the violation of municipal ordinances can continue to be held in the city facility. In those instances, a county judge will be assigned by the Chief Judge of the Circuit for such time as is necessary to preside over that court. All fines and forfeitures for such violations will be returned to the city although its only expense will be that of providing a courtroom, and at its option, a city prosecuting attorney.

We contemplate that, as authorized by the revision, both the circuit courts and county courts will be sub-divided into divisions. In the circuit courts, it would appear logical and judicially systematic to have a division for (1) probate, competency and guardianship, (2) family matters including juvenile cases, (3) felonies, and (4) general circuit court jurisdiction including civil cases involving more than \$2,500.00. At the county court level, we contemplate (1) a division for misdemeanors, bail, preliminary hearings and coroners' inquests, (2) a division for small claims to be handled under the summary claims procedure rules, (3) a division of general jurisdiction including in particular those civil matters from \$2,500.00 down to the dollar base of the small claims courts, and (4) a division for non-judicial and administrative matters. These divisions become reasonable and acceptable because it appears from an examination of the resolution submitted by the Legislature that it was intended the revision would create a system of circuit and county courts to meet the demands of each particular area of our State.

The revision mandates a minimum of one county judge for each county, regardless of population. In the smaller counties, it well may be that the operation of the county court will not require the full time of one judge. With that in mind, we must look to the section which provides for the assignment of a county judge to another county or where such judge possesses the legal qualifications for a circuit judge, he may be assigned by the Chief Judge of the circuit to exercise the jurisdiction of the circuit court for temporary duties. For example, if a sudden demand should arise for circuit court action in Apalachicola, Florida, which is located 85 miles from the residences of the circuit judges and where the county judge of that county possesses the legal qualifications of a circuit judge, the Chief Judge could assign the county judge to exercise temporary jurisdiction of the circuit court for the prompt dispatch of business. With the broad assignment powers of the Chief Judge within the circuit and the Chief Justice throughout the State, there will be little reason for judges to be overworked in one area and idle in another.

In making an analysis of the statistics before us, we have embraced a conservative approach. The thought being that if we should over-man a circuit or a county, the excessive manpower could not be disposed of until the expiration of the term of such judge, but on the other hand, if we should under-man a county, the deficiency in manpower could be corrected rapidly by going to the Legislature which meets at least annually and oft-times has extra sessions, and through consultation with this Court with its continuing jurisdiction to certify need. The revised Article V will not become effective until January 1, 1973. The Legislature of Florida will be convened in April of 1973. By the latter date, we will have gathered the statistics on the operation of the courts for January, February, and March and will be in a position to give you a revised Certifi-

cate. Also, this would provide ample time for a more detailed cross check of all of our earlier statistics. Then, when the Legislature meets again in early 1974, we could give you a Certificate of manpower based on a full year of operation which should be sufficient to complete the transition from the 1885 to the 1973 system.

You have observed that when you revised the Executive Branch of the government, a transition period was required and likewise you wisely have provided in the current plan a transition period of four years for the Municipal Courts. We, therefore, ask your patience in permitting us to complete the present transition in three Certificates in the following suggested order: Number one which is being presented today; number two will be made at the opening of the 1973 Legislative Session; and number three would be delivered at the opening of the 1974 session.

These observations have been made to acquaint this body with some of the intangible considerations that judicial experience has shown must necessarily have been included in this certification process. The manpower which we now recommend and which we certify as needed will be classified into three groups. The first group will include the incumbent judges now holding office and which we shall style "incumbents." Group two encompasses the judgeships which automatically are elevated to the circuit court level and which we shall designate as "automatics." Group three will cover the additional manpower certified by this Court and which we shall call "certified." So, with all factors cited in this discussion involved in our final consideration, we certify as needed and recommend in this Certificate number one as follows for the circuit courts:

Circuit	Incumbents	Automatics	Certified	Total
First:	7	5	1	13
Second:	4	4	0	8
Third:	2	0	1	3
Fourth:	13	7	1	21
Fifth:	4	0	2	6
Sixth:	12	6	3	21
Seventh:	5	3	1	9
Eighth:	3	2	1	6
Ninth:	7	6	2	15
Tenth:	5	4	0	9
Eleventh:	25	17	4	46
Twelfth:	5	3	0	8
Thirteenth:	10	10	1	21
Fourteenth:	3	0	2	5
Fifteenth:	7	6	0	13
Sixteenth:	1	1	0	2
Seventeenth:	13	16	0	29
Eighteenth:	7	3	3	13
Nineteenth:	3	0	1	4
Twentieth:	4	2	1	7
Totals	140	95	24	259

For the county courts, we certify as needed and recommend in this Certificate number one as follows for the county courts:

Circuit	County	Incumbents	Certified	Total Following Certification
First	Escambia	1	4	5
	Okaloosa	1	1	2
	Santa Rosa	1	0	1
	Walton	1	0	1

Circuit	County	Incumbents	Certified	Total Following Certification
Second	Franklin	1	0	1
	Gadsden	1	0	1
	Jefferson	1	0	1
	Leon	2	0	2
	Liberty	1	0	1
Third	Wakulla	1	0	1
	Columbia	1	0	1
	Dixie	1	0	1
	Hamilton	1	0	1
	Lafayette	1	0	1
	Madison	1	0	1
	Suwannee	1	0	1
	Taylor	1	0	1
Fourth	Clay	1	0	1
	Duval	2 + 2	8	12
Fifth	Nassau	1	0	1
	Citrus	1	0	1
	Hernando	1	0	1
	Lake	2	1	3
	Marion	2	0	2
Sixth	Sumter	1	0	1
	Pasco	1	1	2
Seventh	Pinellas	2	3	5
	Flagler	1	0	1
Eighth	Putnam	1	0	1
	St. Johns	1	0	1
	Volusia	1	2	3
	Alachua	1	2	3
	Baker	1	0	1
Ninth	Bradford	1	0	1
	Gilchrist	1	0	1
	Levy	1	0	1
	Union	1	0	1
	Orange	1	3	4
Tenth	Osceola	1	2	3
	Hardee	1	0	1
	Highlands	1	0	1
Eleventh	Polk	1	3	4
	Dade	3 + 13	11	27
Twelfth	DeSoto	1	0	1
	Manatee	1	1	2
	Sarasota	1	1	2
Thirteenth	Hillsborough	3	2	5
Fourteenth	Bay	1	1	2
	Calhoun	1	0	1
	Gulf	1	0	1
	Holmes	1	0	1
	Jackson	1	0	1
	Washington	1	0	1
	Palm Beach	2	3	5
Fifteenth	Monroe	1	2	3
Sixteenth	Broward	2	5	7
Seventeenth	Brevard	1	2	3
	Seminole	1	2	3
Nineteenth	Indian River	1	0	1
	Martin	1	0	1
	Okeechobee	1	0	1
	St. Lucie	1	1	2
Twentieth	Charlotte	1	0	1
	Collier	1	1	2
	Glades	1	0	1
	Hendry	1	0	1
	Lee	1	1	2
Totals		93	63	156

Time here does not permit my discussion of the problem on a circuit by circuit or county by county basis because to do so would consume many hours. However, all of our statistical information is now on file in the Office of the Judicial Council in the Supreme Court Building and the Council Director, Colonel A. D. Core, or our Executive Assistant, Mr. Fred Baggett, stand ready to appear before any of your committees by invitation, or to discuss individual problems with any of you and to make available an inspection of the records which we have compiled.

And now, with your indulgence, I offer a few personal comments. As a citizen, lawyer and jurist, I have always been committed and dedicated to the separation of powers concept believing as I do that it has brought us a system of government which is the best on earth and the envy of all peace-loving nations. Therefore, I respect and encourage this Legislature's independence just as I am sure you respect and desire independence of the judiciary. I have been a member of the Bar of Florida forty-four years this spring, and have spent half of this time as a member of our Supreme Court, now am serving my third term as the Chief Justice. As a private citizen, but with that background of nearly half a century of experience, I respectfully recommend and urge that you, at this session, fund the salaries of the County Judges which you are authorized to do immediately but not required to do until 1977. In my opinion, the people of this State wanted and voted for a new court system to become wholly effective in January of 1973. They are expecting that to occur. These County Judges will then become a part of the State Judicial Machine. Any County Judge who has been a member of the Bar of Florida for five years or more will be eligible for temporary assignments to the jurisdiction of the circuit courts by the Chief Judge of the circuit. Our counties have been paying County Judges and Special Judges for years while they were in reality performing a state function. To relieve this inequity immediately will give immediate tax relief to the budgets of our Counties.

In the event you should determine to fund the entire system of 259 circuit judges and 154 county judges on a reasonable basis of just compensation, the total outlay would amount to less than eight tenths of one percent of the State's total budget, and I ask you to consider if you feel there is a thinking person in our State who would not be willing to commit eight tenths of one percent of his tax dollar to insure him an effective and efficient judicial system.

I feel compelled to call to your attention that in Court Management, the Twenty Chief Judges will have urgent need for some form of assistance, and I hope, at the proper time, you will consider providing each of them with an Administrative Aide, or, if that cannot be done, I suggest that you consider authorizing the counties within each judicial circuit to make such provision.

Since the dawn of history, mankind has sought a more perfect system for the administration of justice. He can endure hardships untold and pain and suffering beyond the imagination, as through the ages countless millions have done, but he has never been able to view with complacency a world where wrong usurps with impunity the place of right. Some 3400 years before Christ, one of the Pharaohs gave us the Code of Menes, a translation of which is still in existence and recognized as the world's oldest code, followed by the Babylonian Code of Hammurabi, the ancient codes of the Chinese and Greeks, the Justinian Code of Rome, the Napoleonic Code, the Magna Carta, the common law of England, the Mayflower Compact, our own Declaration of Independence, the Constitution of the United States, and the Constitutions and laws of our

fifty states all of which have been milestones along that long road and the unquenchable thirst that mankind has had for justice and liberty. However, throughout the pages of history, we have learned that a code alone is not enough. We have learned that it must be activated and made to operate by a capable judiciary of qualified judges, and, so it is that our people have now set down another milestone and you and we have the solemn responsibility to make it move us nearer a perfect system. So, let us now rededicate ourselves to the proposition that equal justice under law is the keystone in the arch of freedom and renew our pledge to keep the pattern of right and wrong as simple and clear as it has always been since mankind began his upward struggle for liberty and justice.

Following the address, the committee previously appointed escorted the Governor and Chief Justice from the rostrum and from the House chamber, followed by the Justices of the Supreme Court and members of the Cabinet.

On motion by Senator Hollahan, the Senate withdrew from the joint session and resumed its session at 11:05 a.m. A quorum present—47:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Pursuant to Rule 4.14, Senator Poston gave 15 minutes' notice of intention to move to take up HCR 3755 out of order.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Gong, SB 1274 was withdrawn from the Committee on Judiciary—Civil B by two-thirds vote and placed on the calendar.

Pursuant to Rule 4.14 Senator Gong gave 15 minutes' notice of intention to move to take up SB 1274 out of order.

On motion by Senator Hollahan, SB 262 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote and placed on the calendar.

On motion by Senator Daniel, SB 993 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote and placed on the calendar.

On motion by Senator Daniel, the Committee on Governmental Efficiency was granted an additional 9 days for the consideration of—

SJR 74	SM 873	SB 1029	SB 1125
SB 550	SB 876	SB 1052	SB 1126
SB 552	SB 879	SB 1061	SB 1130
SB 569	SB 906	SB 1073	SB 1210
SB 587	SB 933	SB 1089	HB 1441
SB 606	SB 934	SB 1095	HB 1577
SB 616	SB 952	SB 1100	HB 1678
SB 621	SB 953	SB 1116	HB 1777
SB 821	SB 964	SB 1118	HB 1803
SB 822-SF	SB 988	SB 1119	HB 1819
SB 823	SB 993	SB 1120	HB 2051
SB 850	SB 1005	SB 1123	HB 3591

On motion by Senator Poston, the Committee on Transportation was granted an additional 15 days for the consideration of—

SB 270	SB 409	SB 874
SB 382	SB 589	SB 1015

On motion by Senator Hollahan, the Committee on Rules, Calendar, Privileged Business and Ethics was granted an additional 10 days for the consideration of HJR 3663.

On motion by Senator Bishop, the Committee on Agriculture was granted an additional 15 days for the consideration of—  
SB 538 SB 812 SB 896

On motion by Senator Broxson, the Committee on Public Schools was granted an additional 10 days for the consideration of Senate Bills 833 and 841.

On motion by Senator de la Parte, HB 3981 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

Senator de la Parte raised a point of order that SB 1280 has fiscal involvement and should be removed from the calendar and referred to the Committee on Ways and Means pursuant to Rule 4.6. The President ruled the point well taken.

On motion by Senator Daniel, HB 861 was withdrawn from the Committee on Governmental Efficiency by two-thirds vote and placed on the calendar.

On motion by Senator Daniel, Rule 4.4 was waived and permission was granted to file for introduction and consideration a bill relating to game promotion in connection with sale of consumer products or services.

On motion by Senator Daniel, unanimous consent was obtained to introduce out of order—

By Senators Daniel and Williams—

SB 1285—A bill to be entitled An act relating to game promotion in connection with sale of consumer products or services amending Chapter 849.094; amending subsection (3), removing requirements that game rules and regulations be posted; repealing subsection (4), deleting trust accounts and bonding provisions; amending subsection (5), deleting requirements to post and publish winners; repealing subsection (7)(a), deleting power of attorney general to promulgate rules and regulations; providing an effective date.

—which was read the first time by title and referred to the Committee on Commerce.

On motion by Senator Boyd, the rules were waived and the Committee on Reapportionment and Redistricting was granted permission to meet at 12:30 p.m. this day.

On motion by Senator Pope the following remarks by Senator Karl were ordered spread upon the journal:

Being a man of strong convictions and deep feelings, I am often unable to contain the urge to speak about things that lie heavy on my heart. Today I am in just that state. At this juncture in this legislative session, at this juncture in the history of our State and Nation and at this significant juncture in my own life there are some things that I must say to you, my colleagues.

I do not hesitate to ask you to give me these few minutes of your time. My legislative service includes eight years in the House and nearly four years in the Senate. During all of those years I have seldom, if ever, used this privilege—and I have never abused it. Please, therefore, grant me these moments and give me your consideration.

I do apologize for using a prepared text. I'm certain you know I prefer to speak extemporaneously. But in the interest of time and to assure that I say exactly what I wish to say and in exactly the way I wish to say it, I have elected to prepare these remarks in advance.

First, I want you to know publicly, formally and unequivocally that I will not be a candidate for re-election to the Florida Senate; nor do I plan to run for any office. It is my intention to devote my full time to my chosen profession, the practice of law. For reasons that will be apparent to you before I conclude,

this has been a difficult decision. But the decision has been made—and it is firm. This then is my last regular session in the Florida Legislature.

Nevertheless, you should not consider this as a swan-song or farewell address. For although I will not be a Senator after November, I will be a citizen of Florida who will be intensely interested in its government and its welfare. Rather consider this as a heartfelt message containing one man's observations that must be made by me now if I am to make them in this forum.

Adlai Stevenson once said:

"Being in office is like being inebriated. If there are any weaknesses in a man's character, it certainly brings them out."

Wherever we go we find those words to be true.

In the heat of a campaign, or in the process of matching wits in debate, or in the making of executive and judicial decisions—anger is a common ailment. Every politician is a bit of an egotist and as a political friend or colleague moves ahead in status or public recognition—jealousy invades. Power is hard to handle. Unless there is constant self-restraint it destroys humility and sometimes corrupts. Demagoguery is always a tempting path to public acclaim. And there is that ever-present opportunity for personal financial gain in return for favorable official action. Each politician, being a human being, suffers an exposure of his weaknesses as he performs his daily chores.

It has become a way of life with some representatives of the news media to dwell on the weaknesses and convey to the public the impression that every politician, no matter how conscientious and no matter how small his weaknesses, is guilty of the worst shortcomings. The public often accepts this as true and the result is that politics has the image of a dirty game and politicians are all painted with the same dirty colored brush.

A survey was recently conducted in which people were asked if they would be willing for their son or daughter to go into politics. About two-thirds of those questioned responded that they would not want that to happen. Two out of three do not consider politics a desirable career for their children.

That has always been a source of heartache for me. I am one of those who believes that there is no higher form of public service than the honest practice of politics.

Moreover, it should be realized that the most important decisions of our time will be made on the governmental level. Will we drop the atomic bomb? Will we have peace or war? Will we have capitalism, socialism or communism as our form of government? What kind of transportation, schools, environment and justice shall we have? These and other equally important decisions will be made by public officials—by politicians, if you will.

Unhappily, many good and capable men and women will not offer themselves for public office and make their experience, talents and energy available to the public for this important work. They are unwilling to take part in a system that is constantly attacked and ridiculed. They are unwilling to subject themselves to unfair criticism. They do not want to be fair game for all of those who freely and irresponsibly vilify good and bad alike.

Politics is the system by which free men and free women select their leaders and govern themselves. We should protect and upgrade that system if we hope to remain free.

We who are in public life, therefore, have a responsibility to do these things: (1) conduct ourselves in a manner that leaves no room for criticism; (2) encourage good men and women to enter politics and thereby continue to raise the level of competence and integrity of politicians; (3) strive for better communication with the people so as to instill in them a greater degree of confidence in the system; (4) avoid demagoguery as a political way of life, for it is such a poor substitute for competent public service that it is always found out to the disappointment of the people; and finally, (5) always remember and encourage our people to remember the proposition advanced in this compelling statement of Theodore Roosevelt:

"It is not the critic who counts; not the man who points out how the strong man stumbled or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the

great devotions, and spends himself in a worthy cause; who, at the best, knows the triumph of high achievement; and who, at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who knew neither victory nor defeat."

To members of the news media I must say: "Please don't be so cynical." Yes, we are politicians. Yes, we had to conduct a successful political campaign to be here. Yes, those who wish to return must be reelected. But there's nothing wrong with that. It is the system. That's what self-government is all about.

No doubt there are those among us who do not share your philosophy. Often your wishes as to an issue are defeated. But please do not conclude without some evidence, that those differences result from a lack of concern for the public interest or from a conflict of interest or something worse.

Don't hesitate to point out corruption; don't neglect to fully and fairly inform your readers, listeners or viewers; don't hold back on criticism when it is justified. But please be fair. Let your cynicism be selective.

I now speak specifically of the Florida Legislature. When I arrived in these halls in 1957 as a young, idealistic State Representative fresh from the thrilling experience of my first real political victory things were different than they are today.

Each member was allowed one secretary—but she worked in a typing pool situation. There were no private offices for members. We sat at our desks on the House floor to answer mail, meet with visitors, confer with colleagues, listen to the lobbyists and participate in debate. There were five copies of each bill and members worked from short bill summaries. About twenty percent of the people elected majorities in each House. State government was on its way to oblivion because of its near impotence. There were widespread rumors of corruption. Prejudice and racial animosity lay exposed to the world in these halls as the reaction to desegregation orders set in.

Those who fought against that system were ineffective. They were ineffective because they were outnumbered and because there was no way for their voices to be projected to the people and, for the most part, their valiant efforts to turn the tide went unnoticed. Only an occasional fight was won by them. Even today when accounts of those days are written, as in a recent Reader's Digest article, they are written as though all legislators were the same and there were no exceptions to the rule.

Please know and remember that there were those who worked diligently in the public interest although they were virtually unnoticed by the news media and public. They served as the cadre for the new Florida Legislature which is such a source of pride to Floridians today.

The Florida Legislature is an institution that is second to none. The members take a great interest in the work; they prepare well; they are concerned with the public interest; they have developed technically proficient staffs; provided necessary tools and facilities and adopted a reasonable work schedule and they have gained recognition throughout the nation as a great deliberative body.

I have seen our State government mature; I have seen the transformation from what used to be to what is—and I proudly say I had an active part.

The Constitution has been rewritten; all three branches of the government have been reorganized and modernized; education has been made available on a higher level of excellence and on a broader base to more of our citizens; roads are well constructed, well located and well patrolled; the consumer's rights are considered and due process is accorded public officials who suffer suspensions.

We who serve in the Florida Legislature should make no apology. The record needs only to be unveiled so that an objective observer can pursue it. From time to time we should stand proudly and say to the world: "We are doing good work and we are proud of it."

And, finally, on a personal basis, I wish to apologize for my own shortcomings.

I'm truly sorry I sometimes spoke out when I should not have done so. I'm even more sorry about the times I should



have spoken and failed to do it. I regret being unable to provide enough of the right kind of leadership to head off some of the damage that was inflicted on the State from time to time. I am a bit ashamed of the times when I allowed political considerations to unduly influence my decisions. I am truly sorry that I allowed criticism to upset me occasionally and I ask that I be forgiven for getting tired too easily when the going was tough.

My mistakes were honest ones, but even so, I would undo them if only I could.

I have sought words to try to convey to you the depth of feeling and the intense affection that I have for public service in general and this Senate in particular. But it is like trying to find words to describe the love one feels for his mother or his first born child. There is no way to say it.

Individually we are different in so many ways. Tempers often flare, diverse issues separate us, we compete, we teach one another, we criticize, we seek out weaknesses, we socialize and we pray together. And through it all there grows up that certain indescribable feeling that is a mixture of fellowship, trust, inter-dependence and pride that cannot be achieved in any other setting.

For the opportunity to serve in the Florida Legislature I am grateful to those who elected me. For the warm, broadening and unforgettable experience here I am grateful to all of those with whom I served. And, for the opportunity to say these things to you and the world I am grateful to you.

On motion by Senator Saunders, unanimous consent was obtained to introduce out of order—

By Senator Saunders—

SB 1283—A bill to be entitled An act relating to the town of LaCrosse, in Alachua County, Florida; providing for annexation of contiguous territory by referendum; providing for the procedure to be followed to accomplish such annexation; providing for the powers, duties and jurisdiction of the municipal government in the annexed territory; providing for the obligations, benefits and privileges affecting such territory and the inhabitants therein; repealing all laws in conflict with said proposed legislation; providing for a referendum; providing an effective date.

—which was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

On motion by Senator Saunders, SB 1283 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saunders, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1283 out of order.

On motions by Senator Saunders, by two-thirds vote, SB 1283 was read the second time by title and, by two-thirds vote, was read the third time by title, passed and certified to the House. The vote was:

Yeas—41

Mr. President	Fincher	Lane	Sayler
Arnold	Gong	Lewis (33rd)	Scarborough
Beaufort	Graham	Lewis (43rd)	Stolzenburg
Bell	Gunter	McClain	Trask
Bishop	Haverfield	Myers	Ware
Boyd	Henderson	Ott	Weissenborn
Brantley	Hollahan	Plante	Williams
Broxson	Johnson (29th)	Pope	Wilson
Childers	Johnson (34th)	Poston	
Deeb	Karl	Reuter	
Ducker	Knopke	Saunders	

Nays—None

By unanimous consent Senator Daniel was recorded as voting yea.

On motion by Senator Saunders, unanimous consent was obtained to introduce out of order—

By Senator Saunders—

SB 1284—A bill to be entitled An Act pertaining to the City of Gainesville; authorizing the designation of redevelopment areas or districts within the City and the procedure for designation thereof; authorizing the development of redevelopment plans and the implementation of such plans; authorizing the acquisition of property by eminent domain in such redevelopment areas or districts; authorizing the disposal of property as prescribed in Section 163.380, Florida Statutes; authorizing the levy of additional taxes in special districts so created, as well as the issuance of general obligation bonds for such special districts if approved at an election as required by the Constitution and Statutes of the State of Florida; authorizing the issue of revenue certificates; and providing for a referendum.

—which was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

On motion by Senator Saunders, SB 1284 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator Saunders, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1284 out of order.

On motions by Senator Saunders, by two-thirds vote, SB 1284 was read the second time by title and, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—41

Mr. President	Fincher	Lane	Sayler
Arnold	Gong	Lewis (33rd)	Scarborough
Beaufort	Graham	Lewis (43rd)	Stolzenburg
Bell	Gunter	McClain	Trask
Bishop	Haverfield	Myers	Ware
Boyd	Henderson	Ott	Weissenborn
Brantley	Hollahan	Plante	Williams
Broxson	Johnson (29th)	Pope	Wilson
Childers	Johnson (34th)	Poston	
Deeb	Karl	Reuter	
Ducker	Knopke	Saunders	

Nays—None

By unanimous consent, Senator Daniel was recorded as voting yea.

Pursuant to Rule 4.14, Senator Haverfield gave 15 minutes' notice of intention to move to take up SB 1191 out of order.

Pursuant to Rule 4.14, Senator Plante gave 15 minutes' notice of intention to move to take up SB 1267 out of order.

Senator Scarborough announced a meeting of the conferees on CS for HB 2008 in Room 307 at 12:00 noon this day.

On motion by Senator Poston, HB 3756 was withdrawn from the Committee on Transportation by two-thirds vote and placed on the calendar.

Senator Poston requested unanimous consent to take up HB 3756 out of order. Senator Lane objected.

On motion by Senator Horne, the rules were waived and SB 938 was immediately certified to the House.

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

## EXECUTIVE BUSINESS

By direction of the President, the Secretary read the following communication and certificate:



Honorable Elmer O. Friday, Jr.  
Secretary of the Senate  
Capitol  
Tallahassee, Florida

March 20, 1972

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Dear Senator Friday:

Attached hereto is a certificate listing the commissions prepared today which are subject to Senate Confirmation.

With kind regards, I remain

Cordially,  
**RICHARD (DICK) STONE**  
Secretary of State

*By Dorothy W. Glisson*  
Director  
Division of Elections

I, Richard (Dick) Stone, Secretary of State of the State of Florida, do hereby certify that pursuant to the Provisions of Section 112.071 (1), (b), Florida Statutes, commissions which are subject to Confirmation by the Senate have been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
William T. Speer Boca Grande	Member, Board of Pilot Commissioners for the Port of Boca Grande, Lee County, State of Florida De- partment of Profes- sional and Occupa- tional Regulation	November 11, 1975

[Referred to Committee on Natural Resources and Conservation]

David M. Delo Tampa	Member, State Board of Independent Col- leges and Universi- ties	March 20, 1973
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[Referred to Committee on Universities and Community Colleges]



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the 20th day of March A. D. 1972.

**RICHARD (DICK) STONE**  
Secretary of State

The President, on advice of the Committee on Rules, Calendar, Privileged Business and Ethics, referred each appointment to the committee shown.

The Senate resumed—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 220.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—SCR 425.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bills contained in the above messages were ordered enrolled.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator McClain—

SB 307—A bill to be entitled An Act relating to minors; providing a waiver of parental consent for emergency medical care or treatment of minors; providing for inspection of hospital records; providing immunity from prosecution for rendering said treatment; providing an effective date.

Amendment 2

On page 2, line 22, strike Section 3 in entirety and insert the following: Section 3. No physician, hospital, or college health service shall incur civil liability by reason of having rendered emergency medical care or treatment pursuant to this act provided such treatment or care was rendered in accordance with acceptable standards of medical practice.

Amendment 3

On page 1, strike all of lines 23 and 24 and insert the following: condition, if within a reasonable degree of medical certainty delay in initi-

Amendment 4

In the title, on page 1, line 9, strike "from prosecution"

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator McClain, the Senate concurred in House amendments 2, 3 and 4 to SB 307.

SB 307 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—30

Mr. President	de la Parte	Karl	Poston
Arnold	Ducker	Lane	Saylor
Beaufort	Gong	Lewis (33rd)	Trask
Bell	Graham	Lewis (43rd)	Ware
Bishop	Haverfield	McClain	Weissenborn
Broxson	Hollahan	Ott	Wilson
Childers	Horne	Plante	
Deeb	Johnson (29th)	Pope	

Nays—None

By unanimous consent Senators Boyd, Henderson, Daniel and Barrow were recorded as voting yea.

*The Honorable Jerry Thomas*  
President of the Senate

March 20, 1972

Yeas—36

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Agriculture—

CS for SB 723—A bill to be entitled An act relating to agriculture; providing enabling legislation for the marketing, handling, and distributing of peanuts grown in Florida; providing for the regulation of handlers, distributors, producers and others; establishing standards in relation to such regulation; providing for hearings on and the issuance, administration and enforcement of marketing agreements and marketing orders in connection with the regulations aforesaid; providing for referendum on marketing orders; prescribing powers, duties and jurisdiction of department of agriculture and consumer services and advisory council in relation thereto; prescribing remedies, rights, duties and penalties with respect to violations of this act or any marketing order promulgated thereunder; providing for assessments to be levied and collected by department of agriculture and consumer services so as to pay expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders; providing an effective date.

Amendment 1

On page 20, line 17, strike all of line 17

Amendment 2

On page 21, line 21, strike "is" and insert the following: are

Amendment 3

On page 23, line 11, strike "lega" and insert the following: legal

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

On motions by Senator Bishop, the Senate concurred in House amendments 1, 2 and 3 to CS for SB 723.

CS for SB 723 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—42

Mr. President	Ducker	Lane	Sayler
Arnold	Fincher	Lewis (33rd)	Scarborough
Barrow	Gong	Lewis (43rd)	Stolzenburg
Beaufort	Graham	McClain	Trask
Bell	Gunter	Myers	Ware
Bishop	Haverfield	Ott	Weber
Brantley	Henderson	Plante	Weissenborn
Broxson	Horne	Pope	Williams
Childers	Johnson (29th)	Poston	Wilson
Deeb	Johnson (34th)	Reuter	
de la Parte	Knopke	Saunders	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Gong, unanimous consent was obtained to take up out of order—

SB 1274—A bill to be entitled An act relating to limited partnerships; amending §620.31, Florida Statutes, to provide for the reinstatement of the certificate of authority of domestic limited partnerships upon payment of all delinquent taxes and filing of all delinquent reports; providing an effective date.

—which was read the second time by title. On motion by Senator Gong, by two-thirds vote SB 1274 was read the third time by title, passed and certified to the House immediately, by waiver of the rule. The vote was:

Mr. President	de la Parte	Karl	Reuter
Arnold	Ducker	Lane	Saunders
Beaufort	Fincher	Lewis (33rd)	Sayler
Bell	Gong	Lewis (43rd)	Scarborough
Bishop	Graham	McClain	Trask
Brantley	Gunter	Ott	Ware
Broxson	Haverfield	Plante	Weissenborn
Childers	Horne	Pope	Williams
Deeb	Johnson (29th)	Poston	Wilson

Nays—None

By unanimous consent Senators Boyd, Henderson, Daniel and Barrow were recorded as voting yea.

On motion by Senator Lewis (33rd), the rules were waived and the Senate immediately reconsidered the vote by which—

SB 1161—A bill to be entitled An act relating to the division of Florida land sales; amending §478.041(5), Florida Statutes, adding paragraph (d) thereto, to provide a restriction on the deposit of escrow accounts; providing an effective date.

—passed as amended on March 20, 1972.

On motion by Senator Lewis (33rd), the following amendment was adopted by two-thirds vote:

Amendment 1—On page 1, line 18, strike "board" and insert: division

On motion by Senator Lewis (33rd), SB 1161 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—41

Arnold	Fincher	Lewis (33rd)	Scarborough
Barrow	Gong	Lewis (43rd)	Stolzenburg
Beaufort	Graham	McClain	Trask
Bell	Gunter	Myers	Ware
Bishop	Haverfield	Ott	Weber
Brantley	Henderson	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (29th)	Poston	Wilson
Deeb	Johnson (34th)	Reuter	
de la Parte	Knopke	Saunders	
Ducker	Lane	Sayler	

Nays—None

By unanimous consent Senator Boyd was recorded as voting yea.

*The Honorable Jerry Thomas*  
President of the Senate

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Appropriations and Representative Wilson—

CS for HB 2817—A bill to be entitled An act relating to the highway patrol; amending §321.07, Florida Statutes, to authorize the department of highway patrol and motor vehicles to present each retiring member of the highway patrol, one complete uniform; authorizing said department to present to the widow or beneficiary of a deceased patrolman, one highway patrol uniform excluding the service revolver; requiring all uniforms presented under this act to be used in the manner and for the purposes which the department may prescribe by rule and regulation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
Clerk, House of Representatives

CS for HB 2817, contained in the above message, was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

On motion by Senator Horne, CS for HB 2817 was withdrawn from the Committee on Personnel, Retirement and Claims by two-thirds vote and placed on the calendar.

On motion by Senator Horne, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up CS for HB 2817 out of order.

On motions by Senator Horne, by two-thirds vote CS for HB 2817 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—41

Mr. President	Fincher	Lewis (33rd)	Scarborough
Arnold	Gong	Lewis (43rd)	Stolzenburg
Barrow	Graham	McClain	Trask
Beaufort	Gunter	Myers	Ware
Bell	Haverfield	Ott	Weber
Bishop	Henderson	Plante	Weissenborn
Brantley	Hollahan	Pope	Williams
Childers	Horne	Poston	Wilson
Deeb	Johnson (29th)	Reuter	
de la Parte	Knopke	Saunders	
Ducker	Lane	Sayler	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

*The Honorable Jerry Thomas* March 20, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Business Regulation—

HB 4296—A bill to be entitled An act relating to the sale of securities; amending Section 517.08(3), Florida Statutes, to provide that securities registered by coordination, which become effective concurrently with federal registration, may be sold by any registered dealer, subject to further order of the division of securities; amending section 517.12, Florida Statutes, to require that applicants for registration as dealer shall file fingerprints; amending section 517.15, Florida Statutes, to provide that dealers in securities issued by a public commission, board or officers of the government of the United States or any state or municipality thereof shall be required to file a bond in the amount of five thousand dollars (\$5,000) instead of a bond in the amount of twenty-five hundred dollars (\$2,500) as now provided; amending section 517.17, Florida Statutes, which relates to burden of proof, to delete the word "notification" and insert in lieu thereof the word "coordination"; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 4296, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

On motion by Senator Horne, HB 4296 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

Rule 4.14 requiring 15 minutes' notice was waived and on motion by Senator Horne, unanimous consent was obtained to take up HB 4296 out of order.

On motions by Senator Horne, by two-thirds vote HB 4296 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—42

Mr. President	Fincher	Lane	Sayler
Arnold	Gong	Lewis (33rd)	Scarborough
Barrow	Graham	Lewis (43rd)	Stolzenburg
Beaufort	Gunter	McClain	Trask
Bell	Haverfield	Myers	Ware
Bishop	Henderson	Ott	Weber
Brantley	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Deeb	Johnson (29th)	Poston	Wilson
de la Parte	Karl	Reuter	
Ducker	Knopke	Saunders	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Business Regulation—

HB 4295—A bill to be entitled An act relating to the sale and escrow of securities; amending Section 517.18, Florida Statutes; to provide that certain additional securities may be placed in escrow and eliminating the requirement for earning and payment of dividends; providing that escrowed securities may be released for cancellation on dissolution of the issuer; providing that securities being held on the effective date of this act may be released upon request if financial data is submitted which would justify such release and providing that escrow agreements may be reviewed by the division and release considered in accordance with existing rules and regulations of the division; providing that securities of dissolved or defunct issuers, which are of no value, may be destroyed after notice and after affording interested parties opportunity for hearing; providing an effective date.

By Representative Wilson—

HB 3519—A bill to be entitled An act relating to oil and gas resources; amending §377.22(2)(a), Florida Statutes, to provide that the department of natural resources shall have the authority to adopt rules relating to the alteration of the sheet flow of water in certain areas and the alteration of the ecological balance of areas of the state under certain conditions pursuant to the regulation of oil and gas resources; providing an effective date.

By the Committee on Elections—

CS for HB 3615—A bill to be entitled An act relating to voter registration; amending §98.081, Florida Statutes, relating to the removal of names from registration books, to change the time and frequency of mailing forms to electors for the purpose of determining any change in the elector's status; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 4295, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

On motion by Senator Horne, HB 4295 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

On motion by Senator Horne, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up HB 4295 out of order.

On motions by Senator Horne, HB 4295 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

## Yeas—42

Mr. President	Fincher	Lane	Sayler
Arnold	Gong	Lewis (33rd)	Scarborough
Barrow	Graham	Lewis (43rd)	Stolzenburg
Beaufort	Gunter	McClain	Trask
Bell	Haverfield	Myers	Ware
Bishop	Henderson	Ott	Weber
Brantley	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Deeb	Johnson (29th)	Poston	Wilson
de la Parte	Karl	Reuter	
Ducker	Knopke	Saunders	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

HB 3519, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

CS for HB 3615, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

On motions by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which Senate Bills 226, 1128 and 1129 passed on March 20. By permission, Senator Horne withdrew Senate Bills 226, 1128 and 1129 from the Senate.

On motion by Senator de la Parte, Rule 4.4 was waived and he was granted permission to file for introduction and consideration a bill relating to establishment of "Florida House".

On motion by Senator de la Parte, unanimous consent was obtained to introduce out of order—

By Senators Thomas, Henderson, Barrow, Horne, Gunter, de la Parte, Childers, Karl, Plante, Johnson (34th), Deeb, Scarborough, Brantley, Bishop, Pope, Hollahan, Bell, Lane, Weissenborn, Reuter, Poston, Gong, Ott, Trask, Williams, Boyd, Johnson (29th), Stolzenburg, Haverfield, Lewis (43rd), Lewis (33rd), Sayler, Fincher, Ware, Ducker, Arnold, Weber, Beaufort, Saunders, Broxson, McClain and Graham—

SB 1286—A bill to be entitled An act relating to the establishment of "Florida House" in Washington, D. C., to serve as an educational and information center and meeting place for Floridians visiting the national capitol; declaring such activity to be exclusively for public, educational and charitable purposes serving the interests of the state of Florida and its citizens; designating a committee to establish and operate a "Florida House"; constituting the committee a body corporate; providing for funds other than state funds to be used and for excess of funds upon dissolution to be paid into the state general revenue fund; providing for an association of members; providing an effective date.

—which was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

On motion by Senator de la Parte, SB 1286 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics by two-thirds vote and placed on the calendar.

On motion by Senator de la Parte, Rule 4.14 requiring 15 minutes' notice was waived and unanimous consent was obtained to take up SB 1286 out of order.

On motions by Senator de la Parte, by two-thirds vote SB 1286 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

## Yeas—39

Mr. President	de la Parte	Lane	Saunders
Arnold	Ducker	Lewis (33rd)	Sayler
Barron	Fincher	Lewis (43rd)	Scarborough
Barrow	Gong	McClain	Stolzenburg
Beaufort	Graham	Myers	Trask
Bell	Gunter	Ott	Ware
Bishop	Haverfield	Plante	Weber
Brantley	Hollahan	Pope	Weissenborn
Childers	Horne	Poston	Wilson
Deeb	Johnson (29th)	Reuter	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By the Committee on Judiciary—Criminal—

SB 463—A bill to be entitled An act relating to loitering and prowling; creating §856.021, Florida Statutes, defining the crime of loitering or prowling; creating §856.031, Florida Statutes, providing for arrest without warrant for the crime of loitering or prowling; providing a penalty; repealing §§856.02 and 856.03, Florida Statutes, relating to arrest of vagrants; providing an effective date.

Which amendment reads as follows:

On page 2, line 30, strike "1973" and insert the following: 1972

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Barrow, the Senate concurred in the House amendment to SB 463.

SB 463 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

## Yeas—35

Mr. President	Ducker	Lewis (33rd)	Saunders
Arnold	Fincher	Lewis (43rd)	Sayler
Barrow	Gong	McClain	Scarborough
Beaufort	Graham	Myers	Stolzenburg
Bell	Gunter	Ott	Trask
Bishop	Haverfield	Plante	Ware
Brantley	Hollahan	Pope	Weber
Childers	Johnson (29th)	Poston	Weissenborn
Deeb	Lane	Reuter	

Nays—None

By unanimous consent Senators Boyd and Daniel were recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Haverfield unanimous consent was obtained to take up out of order—

SB 1191—A bill to be entitled An Act relating to pari-mutuel facilities, authorizing an additional day of operation at certain

of such facilities with all profits therefrom to be paid in equal amounts to Barry College and to Florida Memorial College and to be used solely for scholarships; providing an effective date.

—which was read the second time by title.

On motion by Senator Haverfield the following amendment was adopted:

**Amendment 1**—On page 3, between lines 6 and 7 insert the following: Section 3. It is the intent of the legislature that the purpose of this act is to supersede chapter 67-658, Laws of Florida.

(Renumber subsequent section.)

On motion by Senator Haverfield, by two-thirds vote SB 1191 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Arnold	Graham	McClain	Stolzenburg
Beaufort	Haverfield	Plante	Trask
Bell	Hollahan	Pope	Ware
Brantley	Johnson (29th)	Poston	Weber
Deeb	Knopke	Reuter	Weissenborn
de la Parte	Lane	Saunders	Wilson
Ducker	Lewis (33rd)	Saylor	
Gong	Lewis (43rd)	Scarborough	

Nays—None

By unanimous consent Senators Boyd, Daniel and Barrow were recorded as voting yea.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 2:00 p.m.

#### AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—46:

Mr. President	de la Parte	Karl	Saunders
Arnold	Ducker	Knopke	Saylor
Barron	Fincher	Lane	Scarborough
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Gunter	McClain	Ware
Bishop	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	
Deeb	Johnson (34th)	Reuter	

The Senate resumed—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas* March 21, 1972  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

SB 172      SB 789      SB 144      SB 319

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bills contained in the above message were ordered enrolled.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended, HB 1597.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended, HB 2899

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

*The Honorable Jerry Thomas*  
*President of the Senate*

March 20, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative L. McDonald—

HB 4302—A bill to be entitled An act relating to Gilchrist County; amending chapter 71-649, Laws of Florida; providing for a fiscal year from July 1, through June 30; providing for an annual report to the board of county commissioners; authorizing medical board to borrow money; providing that funds accruing to Gilchrist County and allotted to the city of Trenton, to be used for certain county purposes; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

Evidence of notice and publication was established by the Senate as to HB 4302.

HB 4302, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Governmental Organization & Efficiency and Representative Reeves and others—

CS for HB 3801—A bill to be entitled An act relating to state comprehensive planning; amending subsection (3) of section 20.31, Florida Statutes; providing for the creation of a division of state planning and a division of budgeting in the department of administration; amending sections 23.011, 23.012, 23.013, 23.016 and 23.017, Florida Statutes; providing for the governor to be the chief planning officer of the state; providing for the exercise of general powers and duties by the division of state planning; providing for adoption of the state comprehensive plan; providing for the preparation of special reports; authorizing the director of state planning to contract to meet the plan-

ning needs of the state; amending chapter 23, Florida Statutes; creating sections 23.002, 23.0111, 23.0122, 23.0123, and 23.0141; providing for designation by each department of a departmental planning officer; providing for preparation and revision of a state comprehensive plan; providing for the development of a state land use plan; providing for the use of uniform data and projections in plans, studies and reports; repealing sections 23.015 and 23.018, Florida Statutes; providing for provisions of act to be liberally construed; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 3801, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Burke—

HB 1947—A bill to be entitled An act relating to automobile inspections; amending Chapter 325.13(4), Florida Statutes, making the owners of motor vehicles responsible for violation of this chapter; amending Chapter 325.23, Florida Statutes, making it unlawful to deface inspection certificates; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1947, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Business Regulation—

HB 4284—A bill to be entitled An act relating to the number of licenses to be issued to vendors of alcoholic beverages and moving such licenses to new locations; amending subsections (1)(a) and (3) of section 561.20, Florida Statutes, and subsection (1) of section 561.33, Florida Statutes, to provide that the limitation of one license to each twenty-five hundred (2500) residents shall apply countywide rather than by municipality and county, and deleting the term "or incorporated municipality" in section 561.33(1); providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 4284, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Environmental Pollution Control and Representative Spicola—

HB 3170—A bill to be entitled An act relating to pollution control; creating section 403.275, Florida Statutes; providing requirements for industrial reservoirs; providing for permits; providing for financial responsibility; providing for inspections by the department of pollution control; providing for an inspection fee; providing for investigations of dam breaks; providing for the powers of the chief inspector to close dams; providing for liability; providing for research agreements; providing an appropriation; providing an effective date.

By the Committee on Elections—

HB 3957—A bill to be entitled An act relating to elections; amending §104.051(5), Florida Statutes, to provide a penalty for a second offense concerning illegal influencing of absentee electors; repealing §99.172(1), Florida Statutes, which prohibits payments by candidates for speaking at a political meeting; repealing §104.28, Florida Statutes, which provides a penalty for such payments by candidates; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3170, contained in the above message, was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

HB 3957, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Smith—

HB 3096—A bill to be entitled An act relating to elections; amending 98.271, Florida Statutes; to clarify the provision that the supervisor of elections may appoint and remove deputy supervisors without the approval of the board of county commissioners; providing an effective date.

By the Committee on Criminal Justice—

HB 4269—A bill to be entitled An act relating to parole and probation; creating sections 949.10, 949.11 and 949.12, Florida Statutes; providing that the subsequent felony arrest of a person on parole or probation for a felony is prima facie evidence of violation of the terms of parole or probation; providing that such arrest shall cause immediate temporary revocation of parole or probation; providing that such person shall not be admitted to bail prior to hearing by the commission or court; requiring hearing within ten (10) days; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3096, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 4269, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

*The Honorable Jerry Thomas* March 17, 1972  
*President of the Senate*

*Sir:*

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Community Affairs and Representative Gallen—

CS for HB 3012—A bill to be entitled An act relating to property taxes; combining and amending section 194.151, Florida Statutes, as amended by Chapter 70-243, Laws of Florida, and section 194.171, Florida Statutes, as amended by Chapter 70-243, Laws of Florida; amending section 194.192(2), Florida Statutes, as amended by Chapter 70-243, Laws of Florida; providing that no action to contest a tax assessment may be brought or maintained by a taxpayer unless he pays to the tax collector all taxes on the property that he admits to be due; requiring the clerk of the circuit court to pay to the tax collector amounts previously paid into the registry of the court by taxpayers contesting tax assessments; and providing for a penalty if taxpayers do not act in good faith in paying taxes admitted to be due; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 3012, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Jerry Thomas* March 17, 1972  
*President of the Senate*

*Sir:*

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives D'Alemberte and Birchfield—

HB 2973—A bill to be entitled An act relating to the state treasurer; amending section 18.11, Florida Statutes, to provide that United States government guaranteed student loans and small business administration loans posted as security for deposit of public funds shall be retained by the bank posting such security; requiring a monthly statement of accounting to be given the state treasurer; providing an effective date.

By the Committee on Transportation—

HB 4276—A bill to be entitled An act relating to the Florida uniform traffic control law as created by chapter 71-135, Laws of Florida, chapter 316, Florida Statutes, amending sections 316.124(3)(b)3, 316.210(1), 316.221(1), 316.222(3), 316.280, F. S., for the purposes of clarity and implementation; adding a new section 316.2291, F. S., providing for vehicular hazard warning signals, providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 2973, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 4276, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

*Sir:*

I am directed to inform the Senate that the House of Representatives has adopted—

By Representative Sessums—

HM 3943—A memorial relating to busing; requesting the Congress of the United States to develop comprehensive limits, national in application, on the use of busing to eliminate dual school systems.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HM 3943, contained in the above message, was read the first time and referred to the Committees on Public Schools and Rules, Calendar, Privileged Business and Ethics.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

*Sir:*

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Manpower & Development and Representatives Sessums and Tucker—

CS for HB 3165—A bill to be entitled An act making the industrial relations commission full time; amending §20.17(8), Florida Statutes; amending §440.44(2), Florida Statutes; providing qualifications; providing salaries; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 3165, contained in the above message, was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

*Sir:*

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Tucker—

HB 3137—A bill to be entitled An act relating to unemployment compensation; amending section 443.15(1), Florida Statutes, to increase the interest rate on delinquent contributions and to increase the penalty for delinquent reports; and providing an effective date.

By Representative Featherstone—

HB 2719—A bill to be entitled An act relating to tax on sales, use and other transactions; amending §212.15(2), Florida Statutes, providing that no monthly return of tax collections made under the provisions of chapter 212, Florida Statutes,



shall be considered delinquent when said return is postmarked no later than the twentieth day of the month; providing an effective date.

By Representative Tucker—

HB 3408—A bill to be entitled An act relating to workmen's compensation; amending section 440.44(2), Florida Statutes, by changing title of bureau, providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3137, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 2719, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 3408, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Harris—

HB 3718—A bill to be entitled An act relating to taxation; repealing subsection (2) of section 195.101, Florida Statutes, relating to withholding of state funds from municipalities; amending section 195.106(2), Florida Statutes, to provide for payment of tax refunds by certain governmental bodies and authorizing budgeting by certain local authorities of funds to accomplish said purpose; providing an effective date.

By Representatives Hazelton and David Clark—

HB 3814—A bill to be entitled An act relating to probation; amending subsection (2) of section 948.01, Florida Statutes; providing disclosure of presentence investigation report; providing opportunity to be heard on the issue; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3718, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

HB 3814, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Manpower & Development and Representative Tucker—

CS for HB 3409—A bill to be entitled An act relating to workmen's compensation; amending section 440.56 (3), Florida

Statutes, to provide that a public hearing shall not be required when the division is required to adopt, amend or repeal rules or requirements pursuant to Public Law 91-596; providing an effective date.

By the Committee on Appropriations and Representative Whitworth and others—

HB 3440—A bill to be entitled An act relating to jurors; amending §40.24, Florida Statutes; increasing daily pay and mileage allowance for jurors; providing an effective date.

By Representative Tubbs—

HB 2759—A bill to be entitled An act relating to transportation of school children; creating §232.034, Florida Statutes, relating to medical exemption; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 3409, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

HB 3440, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil A.

HB 2759, contained in the above message, was read the first time by title and referred to the Committee on Public Schools.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Appropriations and Representative MacKay and others—

CS for HB 4030—A bill to be entitled An act relating to the Florida Public Service Commission; amending chapter 350, Florida Statutes, adding new sections 350.061 through 350.0614 to create the office of public counsel and to prescribe the qualifications, duties, staff and compensation of said office; amending section 350.58, Florida Statutes, to require annual reports of public counsel; amending subsection 350.12(1), Florida Statutes, to require a study of public service commission jurisdiction, powers, functions and duties relative to the long-range energy needs of the state; amending chapter 16, Florida Statutes, to authorize the attorney general to intervene before the Florida public service commission; amending subsection 110.051(2), Florida Statutes, to exempt public counsel from career service requirements; amending section 366.02, Florida Statutes, by removing certain exemptions pertaining to utilities owned by municipalities and rural electric cooperatives from provisions of chapter 366; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 4030, contained in the above message, was read the first time by title and referred to the Committees on Governmental Efficiency and Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Harris—

HB 3717—A bill to be entitled An act relating to taxation; amending section 167.437, Florida Statutes, to provide a basis for valuing the services provided by the county in assessing and collecting municipal ad valorem taxes; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 3717, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Education—

CS for HB 2987—A bill to be entitled An act relating to early childhood and family development; creating an office of early childhood development in the office of the governor to oversee all early childhood programs; establishing an early childhood development advisory council composed of eighteen members; establishing an early childhood training program under which qualified groups can apply to the department of education for grants to help support personnel training programs; making the department of education responsible for encouraging public broadcasting programming in the areas of early childhood education; providing that an annual report be made to the legislature on early childhood programs; containing a severability clause; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

CS for HB 2987, contained in the above message, was read the first time by title and referred to the Committees on Public Schools and Governmental Efficiency.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 17, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Glisson—

HB 2998—A bill to be entitled An act relating to motor vehicle safety inspection; adding subsection (4) to §316.210, Florida Statutes, as created by chapter 71-135, Laws of Florida, to exempt grove equipment from windshield requirements; amending §325.19(2), Florida Statutes, as amended by chapter 71-285, Laws of Florida, to exempt grove equipment from tire safety requirements; providing an effective date.

By the Committee on General Legislation and Representative Baker and others—

CS for HB's 2679, 2870 and 3019—A bill to be entitled An act relating to the physically handicapped; amending §255.21, Florida Statutes, to require that certain public buildings afford facilities for the physically handicapped; providing for implementation of the act by the department of general services; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 2998, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

CS for HB's 2679, 2870 and 3019, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

*The Honorable Jerry Thomas*  
*President of the Senate*

March 21, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Hollahan—

SB 1108—A bill to be entitled An act relating to the Inter-American Cultural and Trade Center; amending Sections 554.07(10), 554.07(13), 554.071(3), 554.30(1), 554.30(2)(b), 554.32 and 554.33 and adding Sections 554.06(5), 554.08(5), 554.08(6), and 554.35, Florida Statutes, providing for the definition of "bonds" and "revenue bonds"; amendment of the Authority's powers with respect to financing, conduct of its lawful activities, and contractual relationships with any agency of the State, Dade County or any municipality therein; authorizing any State agency, Dade County, and any municipality therein to agree to accept certain Authority revenue bonds in payment of certain obligations or otherwise cooperate with and assist the Authority; providing certain amendments in respect of the Authority's revenue bond to the City of North Miami; providing that no Authority land comprising the Graves tract may be pledged to any private person or organization as security for a debt; providing that no land disposition inconsistent with the development of a Inter-American Cultural and Trade Center as provided in this chapter may be made without approval of the board of trustees of the internal improvement trust fund or its successors, and terminating the statutory option of such board to acquire and obtain conveyance of all real assets of the Authority.

#### Amendment 1

On page 8, line 13, after the period insert the following:  
*Prior to any lawful transfer of title of all or any part of the property now owned or hereafter acquired by the Authority by any public entity to any private person, individual, group, partnership, association, corporation, organization or other private entity or entities, the Board of Trustees of the Internal Improvement Trust Fund or its successors shall have an option to acquire the subject property without payment of consideration other than assumption or payment of any and all obligations and encumbrances then existing with respect to the subject property and payment to the public entity of moneys owed to it and/or expended for or on behalf of the subject property.*

#### Amendment 2

In the title On page 2, line 7, strike "terminating" and insert the following: amending

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motions by Senator Hollahan, the Senate concurred in House amendments 1 and 2 to SB 1108.

SB 1108 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

#### Yeas—36

Mr. President	Childers	Henderson	Lewis (33rd)
Arnold	de la Parte	Hollahan	Lewis (43rd)
Barrow	Ducker	Horne	McClain
Beaufort	Fincher	Johnson (29th)	Myers
Bell	Gong	Johnson (34th)	Poston
Bishop	Graham	Knopke	Reuter
Brantley	Haverfield	Lane	Saunders

Saylor            Stolzenburg        Weber            Williams  
Scarborough     Ware                Weissenborn     Wilson

Nays—None

By unanimous consent Senator Plante was recorded as voting yea.

Senator Barrow presiding.

On motion by Senator Horne, the rules were waived and the Senate immediately reconsidered the vote by which—

**HB 3375**—A bill to be entitled An act to create, establish and organize a municipality to be known and designated as the city of Woodville, Florida, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges; repealing all laws or parts of laws in conflict; providing for a referendum.

—as amended passed on March 20.

On motion by Senator Horne the following amendment was adopted:

**Amendment 6**—On page 1, line 25—after the colon strike balance of section and insert: north-west quarter of north-west quarter (NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ), and south-three-quarters (S  $\frac{3}{4}$ s) of Section 8; and south-west quarter (SW  $\frac{1}{4}$ ) of Section 9; and all of Section 16; and all of Section 17; and all of Section 20, less that part in Wakulla County, Florida; and all of Section 21, less south one-half of south-east quarter (S  $\frac{1}{2}$  of SE  $\frac{1}{4}$ ); and all of Section 28, less east one-half of north-east quarter (E  $\frac{1}{2}$  of NE  $\frac{1}{4}$ ), and less that part in Wakulla County, Florida, Township 2 South, Range 1 East, all in Leon County, Florida.

On motion by Senator Horne, HB 3375 as further amended was read by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Fincher	Knopke	Saylor
Arnold	Gong	Lewis (33rd)	Scarborough
Barrow	Graham	Lewis (43rd)	Stolzenburg
Beaufort	Haverfield	McClain	Ware
Bell	Henderson	Myers	Weber
Bishop	Hollahan	Ott	Weissenborn
Brantley	Horne	Plante	Williams
Childers	Johnson (29th)	Poston	
Ducker	Johnson (34th)	Reuter	

Nays—None

Notice having been given pursuant to Rule 4.14, on motion by Senator Plante, consent was obtained to take up out of order—

**SB 1267**—A bill to be entitled An act relating to handguns; creating §790.26, Florida Statutes, to make unlawful the assembly of handguns from parts manufactured or originating from outside the United States; providing penalties; providing an effective date.

—which was read the second time by title. On motion by Senator Plante, by two-thirds vote SB 1267 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Mr. President	Fincher	Knopke	Poston
Arnold	Gong	Lane	Reuter
Barrow	Graham	Lewis (33rd)	Saylor
Beaufort	Gunter	Lewis (43rd)	Scarborough
Bell	Haverfield	McClain	Stolzenburg
Bishop	Henderson	Myers	Trask
Brantley	Johnson (29th)	Ott	Ware
Childers	Johnson (34th)	Plante	Weissenborn
Ducker	Karl	Pope	Williams

Nays—None

By unanimous consent Senator Hollahan was recorded as voting yea.

Pursuant to Rule 4.14, Senator Bishop gave 15 minutes' notice of intention to move to take up SB 751 out of order.

#### SPECIAL ORDER

**SJR 1243**—A joint resolution proposing an amendment to the constitution of the state of Florida, adding new section 14 to article X, establishing legal majority.

*Be It Resolved by the Legislature of the State of Florida:*

That the following amendment, adding new section 14 to article X of the constitution of the state of Florida is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1972:

**SECTION 14. Legal Majority.**—Every person shall reach legal majority upon attaining the age of eighteen years, and thereafter shall have all the rights and responsibilities of an adult.

—was read the second time.

Senator Myers moved the adoption of the following amendment:

**Amendment 1**—

On page 1, line 21 insert: Nothing in this section shall abrogate the obligation of a parent to support his child under the age of 21 years, pursuant to any provision of law or court order.

Senator Weissenborn moved the adoption of the following amendment to Amendment 1:

**Amendment 1a**—

Lines 5 and 6 of the Amendment strike: "provision of law or"

Senator Scarborough moved that further consideration of SJR 1243 be postponed until March 22 at 10:30 a.m.

Senator Thomas moved that the rules be waived and debate on amendment 1a be limited to 1 minute per side. The motion was adopted.

The motion by Senator Scarborough failed.

Senator Weissenborn withdrew amendment 1a.

Senator Weissenborn moved the adoption of the following substitute amendment:

**Amendment 2**—

Insert: Nothing in this section shall abrogate the obligation of a parent to support his child pursuant to a court order entered prior to this section becoming law.

On motion by Senator Beaufort, the rules were waived and debate was limited to 2 minutes per side on amendment 2 and amendment 1.

Amendment 2 failed.

Senator Myers withdrew amendment 1.

On motion by Senator Thomas, by two-thirds vote, SJR 1243 was read the third time in full.

Senator McClain moved that time for consideration of SJR 1243 be extended until final action thereon in lieu of the one

hour reserved therefor, and in the event SJR 1243 failed, consideration of HB 3278 be deferred, the bill retaining its place on the special order calendar.

Senator Scarborough moved as a substitute motion that time of adjournment be extended until final action on SJR 1243 and HB 3278. The motion failed to receive the required two-thirds vote.

The question recurred on the motion by Senator McClain. Senator Beaufort moved that debate on the motion be limited to 1 minute per side and the motion failed. A division of the question was called for and the President put the question on the motion to extend time for consideration of SJR 1243. The motion was adopted.

SJR 1243 passed with the required constitutional three-fifths vote of all members elected to the Senate. The roll was called and the vote was:

## Yeas—30

Mr. President	Daniel	Johnson (29th)	Stolzenburg
Arnold	Deeb	Karl	Trask
Barron	de la Parte	Knopke	Ware
Barrow	Ducker	Lane	Weber
Beaufort	Haverfield	Lewis (33rd)	Williams
Bishop	Henderson	Ott	Wilson
Brantley	Hollahan	Pope	
Childers	Horne	Saylor	

## Nays—13

Fincher	Johnson (34th)	Plante	Weissenborn
Gong	Lewis (43rd)	Reuter	
Graham	McClain	Saunders	
Gunter	Myers	Scarborough	

By unanimous consent Senator Poston was recorded as voting yea.

Senator Thomas moved that the rules be waived and SJR 1243 be immediately certified to the House.

Senator Horne moved as a substitute motion that the Senate reconsider the vote by which SJR 1243 passed this day.

Senator Thomas offered as an amendment to the motion that the Senate do now reconsider the vote by which SJR 1243 passed this day, and the amendment failed.

## The President presiding.

Notice having been given pursuant to Rule 4.14, on motion by Senator Bishop, consent was obtained to take up out of order—

SB 751—A bill to be entitled An act relating to the ownership of inventions, discoveries or works of art; adding Section 286.051, Florida Statutes, providing that the ownership of any right, interest, claim or demand of any kind in and to any patent, trademark, copyright, certification mark, or other rights acquired under the patent and trademark laws of the United States or this state or any foreign country, or the application for the same that are developed, conceived or financed under the authorities of Chapter 601, Florida Statutes, shall remain vested in the Department of Citrus; providing an effective date.

—which was read the second time by title. On motion by Senator Bishop, by two-thirds vote SB 751 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

## Yeas—35

Mr. President	Bishop	Daniel	Graham
Arnold	Brantley	Ducker	Gunter
Beaufort	Childers	Gong	Haverfield

Henderson	Lewis (33rd)	Poston	Trask
Hollahan	Lewis (43rd)	Reuter	Ware
Horne	Myers	Saunders	Weber
Johnson (29th)	Ott	Saylor	Weissenborn
Johnson (34th)	Plante	Scarborough	Williams
Knopke	Pope	Stolzenburg	

Nays—None

By unanimous consent Senator McClain was recorded as voting yea.

Unanimous consent was granted Senator Horne to introduce out of order—

By Senator Horne—

SR 1287—A resolution relating to the official seal and the official coat of arms of The Florida Senate.

WHEREAS, as is reflected by the Senate Daily Journal of March 15, 1972, pages 439-440, The Florida Senate did on said date adopt Senate Rule 14, and did introduce and pass Senate Bill 1107, thereby adopting an official seal and an official coat of arms of The Florida Senate, more particularly described as follows:

The seal shall be the size of a circle of two and one-half inch diameter, having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words, "In God We Trust" arched above a gavel, quill and scroll. At the top of the field of flags shall be the word seal; at the bottom the date, 1838. The perimeter of the seal shall contain the words "Senate" and "State of Florida".

The coat of arms shall contain a fan of the five flags that have flown over Florida, above the great seal of Florida. At the base of the coat of arms shall be the words, "The Florida Senate", and

WHEREAS, it is the intent and purpose of The Florida Senate that the use of the aforesaid official seal and official coat of arms shall be limited exclusively to The Florida Senate and to such officials thereof or other persons as may be specifically designated by the Senate, and that no other person or persons shall have the right to use such official seal and official coat of arms either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive or confuse or to be mistaken therefor, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Honorable Richard (Dick) Stone, as Secretary of State, State of Florida Department of State, be by the terms of this Resolution alerted to the facts hereinabove set forth and hereby fully advised of the wishes, intention and action of The Florida Senate in regard thereto.

Be It Further Resolved, that a certified copy of this Resolution duly attested be presented to Honorable Richard (Dick) Stone in his official capacity.

—which was read the first time.

On motion by Senator Horne, unanimous consent was obtained to take up SR 1287 out of order. On motion by Senator Horne, SR 1287 was read the second time in full and adopted. The vote was:

## Yeas—32

Mr. President	Haverfield	Lewis (43rd)	Saylor
Arnold	Henderson	McClain	Scarborough
Beaufort	Hollahan	Myers	Stolzenburg
Brantley	Horne	Ott	Trask
Childers	Johnson (29th)	Plante	Ware
Daniel	Johnson (34th)	Pope	Weber
Ducker	Knopke	Reuter	Williams
Gunter	Lewis (33rd)	Saunders	Wilson

Nays—None

On motion by Senator Hollahan, the Senate proceeded to the consideration of—

### EXECUTIVE BUSINESS

On motion by Senator Hollahan, the rules were waived and the Senate took up in open Session the following Reports:

Senator Jerry Thomas March 20, 1972  
President, The Florida Senate  
The Capitol  
Tallahassee, Florida

Dear President Thomas:

Your Select Committee on Executive Suspensions to whom was referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

NAME	OFFICE	TERM ENDING
William Guy Davis, Jr. Pensacola	Member, Historic Pensacola Pres- ervation Board, State of Florida Department of State	September 19, 1974
Lee A. Tafel Hialeah	Member, Career Service Commission	November 22, 1975
Woodrow W. Wilkins Miami	Member, Historic Pensacola Preserva- tion Board, State of Florida Department of State	September 19, 1975

After inquiry, the Committee recommends that the Senate advise and consent, and approve the above listed appointments made by the Governor.

Respectfully submitted,

FREDERICK B. KARL, Chairman  
C. W. BEAUFORT  
GERALD A. LEWIS  
T. TRUETT OTT  
KENNETH PLANTE  
C. S. REUTER  
HAROLD S. WILSON

On motions by Senator Wilson, the report of the committee was adopted, the rules were waived and the Senate in open session advised and consented to and approved the aforesaid appointments made by the Governor, as contained and set forth in the foregoing report. The vote was:

Yeas—34

Mr. President	Haverfield	McClain	Scarborough
Arnold	Henderson	Myers	Stolzenburg
Beaufort	Hollahan	Ott	Trask
Brantley	Horne	Plante	Ware
Childers	Johnson (29th)	Pope	Weber
Daniel	Johnson (34th)	Poston	Williams
Deeb	Knopke	Reuter	Wilson
Ducker	Lewis (33rd)	Saunders	
Gunter	Lewis (43rd)	Sayler	

Nays—None

The motion by Senator Broxson on March 20 that the Senate reconsider the vote by which—

**SB 676**—A bill to be entitled An act relating to professional regulation and licensing, creating the Florida road building contractor licensing board within the department of professional and occupational regulation; providing the legislative declaration; requiring registration and exemption; providing definitions; authorizing board employees; authorizing rules and regulations by the board; providing for examination and certification; establishing fees; providing for revocation of certificate and hearings; establishing bidding restrictions; requiring a busi-

ness office located within this state and certain record keeping; providing for the disposition of fees; providing an effective date.

—as amended failed to pass on March 20, was taken up and adopted; and the Senate reconsidered by the following vote:

Yeas—21

Arnold	Fincher	Horne	Trask
Barron	Graham	Johnson (29th)	Weissenborn
Barrow	Gunter	Johnson (34th)	Williams
Brantley	Haverfield	Lewis (43rd)	
Childers	Henderson	McClain	
Daniel	Hollahan	Poston	

Nays—14

Beaufort	Knopke	Pope	Stolzenburg
Deeb	Lane	Saunders	Ware
Ducker	Lewis (33rd)	Sayler	
Gong	Plante	Scarborough	

On motion by Senator Hollahan, the rules were waived and the Senate immediately reconsidered the vote by which SB 676 was read the third time by title.

On motion by Senator Hollahan, the Senate reconsidered the vote by which—

**Amendment 2**—On page 6, line 19, insert: No rules shall be adopted which would require as a requisite to licensing that a contractor establish or maintain a permanent business office in Florida.

—failed of adoption.

Amendment 2 was adopted.

On motion by Senator Hollahan, the Senate reconsidered the vote by which—

**Amendment 3**—On page 13, line 19, after the work “sub-contractors” and before the “.”: insert: working on the job site

—failed of adoption.

Amendment 3 was adopted.

On motion by Senator Hollahan, the Senate reconsidered the vote by which—

**Amendment 4**—On page 13, lines 6 and 7, strike “maintain an established business office within the state and”

—failed of adoption.

Amendment 4 was adopted.

Pursuant to Rule 4.14, Senator Barrow gave notice of intention to move to take up SB 301 out of order.

Senator Deeb moved that the Senate reconsider the vote by which Amendment 5 failed of adoption and the motion failed.

Senator Bishop presiding.

Senator Deeb moved the adoption of the following amendment which failed:

**Amendment 6**—On page 3, lines 12—16, strike subsection 2(2)(a)

On motion by Senator Poston the following title amendment was adopted:

**Amendment 7**—On page 1, lines 18 and 19, strike “a business office located within this state and”

The President presiding.

SB 676 as further amended was read by title, passed and ordered engrossed. The vote was:

## Yeas—24

Arnold	Daniel	Horne	Myers
Barron	Fincher	Johnson (29th)	Plante
Barrow	Gunter	Johnson (34th)	Poston
Beaufort	Haverfield	Knopke	Trask
Brantley	Henderson	Lewis (43rd)	Weissenborn
Childers	Hollahan	McClain	Williams

## Nays—16

Mr. President	Graham	Reuter	Stolzenburg
Bishop	Lane	Saunders	Ware
Deeb	Lewis (33rd)	Sayler	Weber
Ducker	Pope	Scarborough	Wilson

By unanimous consent Senator Plante changed his vote from yea to nay.

On motions by Senator Horne, House Bills 1803 and 3591 were withdrawn from the Committee on Governmental Efficiency by two-thirds vote and placed on the calendar.

On motion by Senator Horne, SB 572 was removed from the calendar by two-thirds vote and recommitted to the Committee on Governmental Efficiency.

Notice having been given pursuant to Rule 4.14, on motion by Senator Barrow, consent was obtained to take up out of order—

SB 301—A bill to be entitled An act relating to retirement benefits; providing for the eligibility of the surviving spouse of an elected official to receive state retirement system benefits if the elected official died in office prior to the completion of ten (10) years creditable service in said system and would have completed ten (10) years creditable service had he lived to complete the term of office; providing for additional contributions to the state retirement system by the surviving spouse; providing an effective date.

—which was read the second time by title.

The Committee on Personnel, Retirement and Claims offered the following amendment which was adopted on motion by Senator Scarborough:

**Amendment 1**—On page 1, line 29 insert after the word "paid": plus the matching contributions that would have been paid

On motion by Senator Scarborough the following amendment was adopted:

**Amendment 2**—On page 2, line 25 insert: Section 2. Any state official elected to fill a full term of office under the reappor-

tionment act of 1963, Chapter 63-1(x), may pay into the system trust fund the amount of contribution he would have paid had he been elected in November, 1962, and receive service credit on retirement for a full two year or four year term.

And renumber the remaining section accordingly.

On motion by Senator Scarborough the following title amendment was adopted:

**Amendment 3**—On page 1, line 16, strike "providing an effective date" and insert: providing creditable service under certain conditions; providing an effective date.

On motion by Senator Barrow, by two-thirds vote SB 301 as amended was read the third time by title, passed and ordered engrossed. The vote was:

## Yeas—31

Arnold	Ducker	Johnson (34th)	Reuter
Barrow	Graham	Knopke	Saunders
Beaufort	Gunter	Lewis (33rd)	Scarborough
Bishop	Haverfield	Lewis (43rd)	Trask
Brantley	Henderson	Myers	Ware
Childers	Hollahan	Plante	Williams
Daniel	Horne	Pope	Wilson
Deeb	Johnson (29th)	Poston	

## Nays—2

Mr. President Lane

Senator Arnold moved that the rules be waived and SB 676 be immediately certified to the House after engrossing and the motion failed.

By permission the following report was received:

Your Engrossing Clerk to whom was referred SB 1280 with 3 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

*ELMER O. FRIDAY*  
Secretary of the Senate

SB 1280 was re-referred to the Committee on Ways and Means.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 4:35 p.m. to convene at 8:30 a.m. for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 10:00 a.m., March 22, 1972.